

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35213 of 2017

Arising Out of PS.Case No. -137 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Ram Parvesh Chaudhary, S/o Biltu Chaudhary.
2. Biltu Chaudhary, S/o late Badar Chaudhary,
Both R/o Village- Manawa Parasi, P.S.- Shikarpur, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate.

For the Opposite Party/s : Mr. Ansarul Haque, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Turkaulia
(Banjariya) P.S. Case No. 137 of 2017 instituted for the offence
under Sections 406, 420 of the Indian Penal Code and Sections 3/4
of Dowry Prohibition Act.

There is allegation in the complaint which was sent
for Police Station under Section 156(3) Cr. P.C. that after
engagement of marriage of daughter of the complainant with
accused Harishankar Chaudhary, the marriage could not be
performed due to further demand made by the petitioners of an
Alto Car and Rs.10,00,000/- cash as dowry.



From the complaint petition itself it appears that petitioners are father and brother of co-accused Harishankar Choudhary. There is general and omnibus allegation against the petitioners.

Learned counsel for the petitioner has denied that any engagement has taken place.

Learned counsel for the complainant has appeared and opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Turkaulia (Banjariya) P.S. Case No. 137 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will



automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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